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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5 In re Application of) Examiner: Yeung, James C.
CHANG, Ming Yu) Group Art Unit: 3749
Based on U.S. Patent 5,897,307) Atty Docket No.: 01-03-1627
Issue Date: 4/27/99)
10 Prior Serial No. 08/881,848)
Prior Filing Date: 6/24/97)
Title: Disposable Lighter Having a)
Safety Function of Preventing)
15 Unwanted Ignition)

RESPONSE TO OFFICE ACTION DATED 03/22/04

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Mail Stop Reissue
Commissioner for Patents
P.O. Box 1450
25 Alexandria, VA 22313-1450

With respect to the Office Action dated March 22, 2004, Applicant herein submits a
corrected declaration that incorporates changes that correct the previous defective reissue
30 declaration and should allow reconsideration of claims 1-15 and new claim 17 of Applicant's
Reissue Application. A detailed description of this response commences on the next page.

RESPONSE TO REJECTION BASED ON DEFECTIVE DECLARATION:

The Examiner rejected claims 1-15 and claim 17 under 35 U.S.C. § 251 as being based upon a defective reissue declaration. The Examiner stated that the reissue declaration "fails to
5 identify at least one error which is relied upon to support the reissue application." The Examiner further stated that the "reissue declaration must identify a single word, phrase, or expression in the specification or in an original claim, and how it renders the original patent wholly or partly inoperative or invalid." Applicant respectfully submits a corrected declaration that identifies at least one error in the original claims relied upon to support its reissue
10 application.

Specifically, the declaration refers to Claim 1 of the original application. Claim 1 is inconsistent in that it claims two separate embodiments of the invention that should have been claimed as separate dependent claims. Specifically, column 7, lines 42-47, and column 8, lines 3-8, describe two separate embodiments of the invention relating to FIGS. 4 and 7, respectively,
15 and should not be included together in Claim 1.

CONCLUSION:

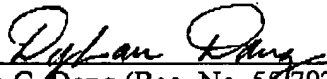
In light of the corrected reissue declaration, Applicant respectfully requests reconsideration of claims 1-15 and new claim 17. This response also constitutes a petition to extend the time to respond to the Office Action by the appropriate duration. If additional fees beyond those authorized on the attached Credit Card Payment Form are required, the Director is authorized to deduct the required amounts from our deposit account 500703.

Dated: September 17, 2004

Respectfully Submitted,

TROJAN LAW OFFICES

By


Dylan C. Dang (Reg. No. 58,797)

TROJAN LAW OFFICES
9250 Wilshire Blvd., Suite 325
Beverly Hills, CA 90212
Tel: (310) 777-8399
Fax: (310) 777-8348
Customer No. 23388
Deposit Acct. No. 500703